

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: Zohar III, Corp., <i>et al.</i> , ¹ Debtors.	Chapter 11 Case No. 18-10512 (KBO) Jointly Administered
LYNN TILTON, <i>et al.</i> , Appellants, v. MBIA INC., <i>et al.</i> , Appellees.	Case No. 1:22-cv-00400 (TLA)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Appellants Patriarch Partners VIII, LLC, Patriarch Partners XIV, LLC, Patriarch Partners XV, LLC, Octaluna, LLC, Octaluna II, LLC, Octaluna III, LLC, and Lynn Tilton (collectively, the “Appellants”) hereby appeal to the United States Court of Appeals for the Third Circuit from the Order of the United States District Court for the District of Delaware (Hon. Thomas L. Ambro) dated August 11, 2022 (D.I. 44), affirming the *Order on Defendants’ Motions to Dismiss the Amended Complaint of Lynn Tilton and the Patriarch &*

¹ The Debtors, and, where applicable, the last four digits of each of their respective taxpayer identification numbers, are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors’ address is c/o FTI Consulting, Inc., 1166 Avenue of the Americas, 15th Floor, New York, NY 10036.

Octaluna Entities for Equitable Subordination of the United States Bankruptcy Court for the District of Delaware (Hon. Karen B. Owens) entered in the bankruptcy case on March 25, 2022 (D.I. 1-1).

PLEASE TAKE FURTHER NOTICE that the names of all parties to the Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

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<p>Appellee</p> <p>MBIA Inc. and MBIA Insurance Corporation</p>	<p>PACHULSKI STANG ZIEHL & JONES, LLP</p> <p>Laura Davis Jones (No. 2436) Timothy P. Cairns (No. 4228) 919 N. Market Street, 17th Floor P.O. Box 8705 Wilmington, DE 19899-87055 Telephone: (302) 652-4100 Facsimile: (302) 652-4400 ljones@pszjlaw.com tcairns@pszjlaw.com</p> <p>– and –</p> <p>CADWALADER, WICKERSHAM & TAFT LLP</p> <p>Gregory M. Petrick, Esq. Ingrid Bagby, Esq. Michele C. Maman, Esq. Sean F. O’Shea, Esq. Michael E. Petrella, Esq. Joshua P. Arnold, Esq. 200 Liberty Street New York, NY 10281 Telephone: (212) 504 6000 Facsimile: (212) 504 6666 gregory.petrick@cwt.com ingrid.bagby@cwt.com</p>

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<p>Appellee</p> <p>U.S. Bank National Association, solely in its capacity as Trustee under the Indentures</p>	<p>PASHMAN STEIN WALDER HAYDEN, P.C. John W. Weiss, Esq. Bell Works 101 Crawfords Corner Road, Suite 402 Holmdel, NJ 07733 Telephone: (201) 488-8200 Facsimile: (201) 488-5556 jweiss@pashmanstein.com</p> <p>– and –</p> <p>ALSTON & BIRD LLP Alexander S. Lorenzo, Esq.</p>

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Dated: September 9, 2022

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